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S E C R E T SECTION 01 OF 03 BAGHDAD 004367

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TAGS: PHUM KDEM PGOV I2

SUBJECT: REPORT OF KILLING AND TORTURE AT MOD DETENTION
FACILITY

REF: 06 BAGHDAD 03816

Classified By: PolCouns Margaret Scobey for reasons 1.4 (b) and (d)

1.(C) Summary. Released detainee Ahmed Mohammed Samitold PolOff and MNF-I MoD advisor November 7 that he had been severely tortured via electric shocks and other techniques during his one month stay at MoD's "Khameese" detention facility in Ba'qubah headed by BG Shakir Hulail Hussein Ka'abi of the 5th Division 2nd Brigade. In total he counted seven times that he lost consciousness during episodes of torture in which he was told to agree to statements implicating Vice President Tariq al-Hashimi (Sunni Arab, IIP) and Deputy Governor of Diyala's Auwf Rahoumi al-Raba'i (Sunni Arab IIP) involvement in terrorist activities. Sami said he fared better than some of the other 250 inmates with whom he shared a room including an older detainee who reportedly died after "interrogation". Sami, who is the head of the Engineering Department at the University of Diyala, states that he was never presented with an arrest warrant and that he and other inmates were threatened into silence by IA officers during Coalition Forces visits to the facility. Sami's allegations match reports from local NGOs as well as by a recent visit to the facility by MoD IG's office. End Summary.

SERIOUS ALLEGATIONS OF TORTURE: ANOTHER SITE 4-TYPE
SITUATION?

2.(C) On November 7, Ahmed Mohammed Sami described to EmbOffs the type of abuse he suffered at the "Khameese" MoD facility in Baqubah after being detained on September 30 without an arrest warrant. Sami indicated that he and the other detainees were subjected to nightly beatings and electric shocks administered between 10pm and 2am by a Iraqi Army Lt. Ali, Iraqi Army Cpt Niam (Intel officer) and his staff. In addition, Sami said that he was regularly blindfolded and taken to a separate room in the facility to be interrogated. During these interrogation sessions, Sami said that the treatment was so severe that he lost consciousness on seven separate occasions. In

some cases he was hung upside down and beaten extensively across his body and head with blunt objects until he could no longer feel his body. In other instances, he says that his arms were twisted and handcuffed in unnatural positions while the MoD detention facility guards administered electric shocks across his body.

¶ 13. (C) Sami said that during each interrogation session, the guards insisted that he confess to the killing of 25 people. Sami also explained that the Iraqi military imposed two levels of torture, one administered by Iraqi Army Lt Ali and the other by Cpt Niam. The "investigation" phase conducted by Iraqi Army Cpt Niam would sometimes last for several days. After severe beatings, these detainees were often placed in a special locked room without access to medical treatment to heal. After approximately 20 days of abuse and torture, the beatings stopped. Sami refused to confess to the killing of 25 people, and was eventually brought to the Governor's officer for release after the physical signs of abuse had diminished.

¶ 14. (C) Sami reported that he and other detainees helped each other recover after particularly intense interrogation sessions. For example, after one session, he remembers being unable to move for two days. His cell mates took turns caring for him and adjusting his position while he lay on the cell floor. Sami also indicated small acts of "kindness" from certain guards after interrogation sessions, for example, allowing the use of the latrine or wash facilities after particularly rough interrogation sessions. Sami informed Emboffs that those detainees bearing the Sunni tribal names of Mashhadani, Janabi, and Mujamaii appeared were subjected

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to more "interrogations" than others.

POTENTIAL DEATH COVER-UP

¶ 15. (S) Despite the abuse that Sami says he suffered, he claims that there were others who suffered more, for example an older detainee whom Sami says he saw die on the cell floor. Although Sami acknowledged the possibility that the detainee died after not having access to his heart medication for two weeks, he said all the 250 inmates watched helplessly as Abdid was returned from an interrogation session, vomited blood, and died several hours later on the cell room floor on or around October 20. Sami, who was released October 30, later found out that the remains had been transferred to the local hospital and that MoD had informed the family that the victim had died in the hospital. Sami notified Emboffs to the presence of a 14-year juvenile detainee named Omar Jebar Mahmoud, who Sami said was threatened with sexual assault in addition to being tortured.

INVOLVEMENT OF BG SHAKIR KA'ABI, POTENTIAL MILITIA TIES

¶ 16. (C) Sami said that even if some of the guards did not directly administer the beatings, all knew about the torture. There were noises that accompanied the beatings, the obvious injuries of inmates, and the open nature with which guards talked about the abuse. Sami also alleged that the head of the facility, BG Shakir Ka'abi, knew about the torture. On various occasions, BG Shakir had the guards bring out all the detainees. During these outings, Sami reported that BG Shakir made several ominous comments. For example, he told the guards (in front of the 250 detainees) that "even if you capture an angel, you must force him confess". In other

occasions, BG Shakir belittled the detainees, in one case beating the hands of one detainee with a stick (as if to imitate an adult punishing a child). (Note: BG Shakir is said to be charismatic, with extensive military experience, international training and fluency in English). Sami also mentioned that he saw many of the guards, who reported directly to BG Shakir, wearing Jaysh-al-Mahdi medallions by their belts which bore the likeness of Muqtada al Sadr. Sami was clear to distinguish that these were not badges, but rather medallions.

COMMENT

¶7. (C) Ahmed Mohammed Sami's statements are consistent with reports of abuse from NGOs and MoD IG's Office concerning MoD's 5th Division, 2nd Brigade in Ba'qubah - particularly the detention facility referred to as Khamise. EmbOffs confirmed the existence of a 14-year juvenile former detainee in the facility as well as a report of detainee death. In the days after Ahmed Mohammed Sami's release, MOD's human rights office took steps to reduce the population of the Baqubah facilities and released the 14-year old juvenile. Though MoD's human rights office has collected raw reports of torture and abuse from the Baqubah facility, its investigation and recommended follow-up steps will take some time to process. EmbOffs have urged the MOD's human rights office to expedite its investigation and monitor the situation in Baqubah in the meantime. Iman Naji, head of MOD's human rights section, indicated in separate conversations November 6 and 10 that she would send a human rights officer to go to Baqubah and monitor the detention facility while they complete the investigation. An investigation and follow-up are underway.

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